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REPORT

OF THE

SUPERINTENDENT AND KEEPERS

OF THE

ARKANSAS PENITENTIARY,

MADE TO

THE GOVERNOR.

For 1859 and 1860.

LITTLE ROCK:
JOHNSON & YERKES, STATE PRINTERS.
1860.

REPORT.

ARKANSAS PENITENTIARY,
October 1st, 1860.

To His Excellency,
ELIAS N. CONWAY,
Governor of Arkansas.

SIR—In obedience to law and in conformity with the usages of this institution, the undersigned, contractors of the state prison, respectfully submit to your excellency this report of the institution, for the two years ending the 1st October, 1860.

We continued on as contractors of the penitentiary, under a resolution of the last legislature, and as our time has no specified limit, we are prepared to deliver up our trust to the proper state authorities, or to turn it over to such other persons as may be employed as our successors.

As will be seen, by reference to the various tables comprised in this report, there were in confinement, on the 1st of October, 1858, 87 convicts, viz: white males 84; Indians 1; free men of color, 2; and also 2 runaway slaves, making in all 89 prisoners.

There were received, during the last two years, 112 white males, 1 white female, and 4 runaway slaves—total, 117. During the same time there were discharged by expiration of sentence 41; pardoned, and including those restored to citizenship by your excellency, 30—3 have escaped and have not been recaptured, and 5 have died, leaving now in confinement 121 convicts and 3 runaway slaves, making in all 124 prisoners; and showing an increase of 35 since our last report. Of the 121 convicts, 107 were sent to the penitentiary by our state courts, and 14 by the United States courts.

We would respectfully suggest to your excellency, in view of the rapid increase, as exhibited in the above statement, the necessity of creating additional room in the way of cells and work shops, as the present establishment is, even now, inadequate to the wants of the state.

Since the 7th of February last, the prison has been under the immediate control of Mr. A. J. Ward, who has selected his under guards and keepers from one of the best managed penitentiaries in the Union. As a general thing the prisoners are more contented under the present rigid discipline than formerly. There are cases, of course, which seem to defy almost all efforts to subdue their temper and dispositions, and to change their characters. Men whose lives have been a continued violation of every social and moral restraint; men educated from youth to resist every influence to control their passions, govern their conduct, or subject them to obedience to the law of God or the ordinances of the state, cannot easily be taught the nature of obedience, or made to understand that a conformity to rules is an essential element of punishment.

The refinements of prison discipline undoubtedly is the constant labor by silence by day, and the still more silent solitude of the cell by night. This is obtained by the discipline now in force.

On the whole, we cannot regard the penitentiary but as fulfilling the great designs for which it was established, and for which money has been from time to time so liberally appropriated.

GEORGE & ROBINS.

Table A—No. 1.

LIST OF PRISONERS *Remaining in the State Prison of Arkansas, on the 10th of October*, 1860.

No.	NAMES OF PRISONERS.	From whence received.	Crimes.	Length of sentence.	When received.	Present occupation.	Previous occupation.
1	William Johnson	Lafayette	Negro stealing	12 y'rs	July 20, 1852	Hewer	Sailor.
2	William Harlis	Mississippi	Murder in 2d degree	21 "	May 14, '54	Invalid	Farmer.
3	C. Underwood	Pope	do do	21 "	Sept. 24, '54	Cook	Farmer.
4	George W. Scoggin	Jefferson	Negro stealing	10 "	Nov. 14, '54	Sash maker	Gambler.
5	R. Ewalt	Chicot	Larceny	10 "	Oct. 17, '55	Blacksmith	Laborer.
6	Ben. Bibb	Crawford	Arson and larceny	7 "	Feb. 24, '56	Furniture maker	Stone-cutter.
7	Aug. Lawless	do	Negro stealing	7 "	Feb. 24, '56	Cooper	Farmer.
8	Sam. Maloney	Pope	Murder in 2d degree	7 "	March 24, "	Invalid	Farmer.
9	Daniel Page, free man of color	Jefferson	Attempt to poison	21 "	May 16, "	Wheel maker	Boating.
10	R. Bradley	Desha	Murder in 2d degree	9 "	June 23, "	Blacksmith	Farmer.
11	John Dunahoo	do	Manslaughter	5 "	June 23, "	Shoemaker	Cook.
12	William Meeks	Sebastian	Horse stealing	7 "	Sept. 6, "	Shoemaker	Farmer.
13	John Richardson	Jefferson	Murder	10 "	Nov. 20, "	Cooper	Farmer.
14	Lewis Sumpter	Phillips	Negro stealing	8 "	Dec. 16, "	Trimmer	Trader.
15	Daniel Ross	Sebastian	Larceny	12 "	March 3, '57	Cooper	Farmer.
16	Peter Hunt	Crawford	Horse stealing	7 "	Aug. 22, "	Blacksmith	Soldier.
17	W. B. Gann	do	do do	5 "	Aug. 22, "	Wagon maker	Laborer.
18	Daniel Lee	Carroll	do do	6½ "	Oct. 12, "	Chair maker	Laborer.
19	Wm. Buchanan	Crittenden	Negro stealing	10 "	Nov. 20, "	Cooper	Farmer.
20	Charles Johnson, f. m. c.	Mississippi	Burglary and larceny	4 "	do do	Blacksmith	Farmer.
21	John Powers	Hempstead	Forgery	3 "	Dec. 20, '57	Blacksmith	Laborer.
22	Louis Smith	White	Felonious assault	4 "	Jan. 15, '58	Wagon maker	Farmer.
23	James Ard	Calhoun	Assault with intent to kill,	5 "	March 12, "	Wagon maker	Farmer.
24	Henry W. Davis	Perry	do do commit rape	3 "	April 2, "	Blacksmith	Farmer.
25	Solomon McCoy	Fulton	Murder in 2d degree	14 "	May 16, "	Blacksmith	Farmer.
26	Elias Good	Pulaski	Manslaughter	5 "	May 31, "	Mattress maker	Brick maker.
27	Carter McGrew	Phillips	Horse stealing	8 "	June 10, "	Carpenter	Farmer.
28	Lawrence Cain	do	Murder in 2d degree	13 "	do do	Turner	Wagon maker.

29	H. W. May	Hempstead	Mule stealing	5	"	June, 22, '58.	Blacksmith	Blacksmith.
30	Thomas Davis	Crawford	Horse stealing	5	"	Aug. 22, '58.	Wagon maker	Farmer.
31	Peter Garner	Saline	do do	5	"	Oct. 23, "	Chair maker	Farmer.
32	Fielding Garner	do	do do	5	"	do do	Chair maker	Farmer.
33	Wm. Thornton	do	do do	10	"	do do	Wood chopper	Farmer.
34	Charles Grim	Washington	Larceny	2	"	Nov. 9, "	Shoemaker	Brewer.
35	Nimrod Rucker	Lawrence	Murder in 2d degree	18	"	Nov. 26, "	Blacksmith	Farmer.
36	Oliver Cooper	Pulaski	Escaping from penitentiary.	5	"	Dec. 9, "	Striker	Farmer.
37	Richard Blockstone	do	do do	5	"	Dec. 9, "	Blacksmith	Farmer.
38	John W. Dark	do	Murder in 2d degree	5	"	March 3, '59	Invalid	Printer.
39	Russel Holmes	Sevier	do do	5	"	March 27, "	Blacksmith	Farmer.
40	Tom. H. Walker	Pope	Horse stealing	5	"	March 29, "	Wagon maker	Farmer.
41	John Smith	Pulaski	Larceny	3	"	May 7 "	Wheel maker	Convict.
42	James Carter	do	do	2	"	do do	Striker	Brass finisher.
43	Thomas Matheny	do	Passing counterfeit money.	3		do do	Wagon maker	Farmer.
44	Francis Harville	do	do do do	3	"	do do	same	Farmer.
45	Ellis Blythe	Washington	Horse stealing	10	"	May 11, '59	Tailor	Tailor.
46	G. H. Goad	Jefferson	Larceny	3	"	May 22, "	Wagon maker	Farmer
47	Wm. Kinger	Lawrence	do	3½	"	May 24, "	Striker	Farmer.
48	Peter W. Smith	do	Manslaughter	4	"	do do	Blacksmith	Blacksmith.
49	Anthony Hally	Phillips	Larceny	3½	"	June 19, '59	Washer	Laborer.
50	Charles Collins	do	do	3	"	do do	Laborer	Tailor.
51	Sam. Kellons	Jackson	Horse stealing	5	"	June 28, "	Tailor	Baptist preacher.
52	Wm. Wilson	do	Embezzlement	5	"	do do	Painter	Watch maker.
53	Thomas Carder	White	Counterfeiting	7	"	July 5, 1859	Shoe maker	Laborer.
54	William Cheek	do	do	9	"	do do	Carriage maker	Carriage maker.
55	A. A. McTier	Crawford	Larceny	2	"	Aug. 15, "	Invalid	Farmer.
56	John Hall	Madison	do	1	"	do do	Cooper	Farmer.
57	A. Bennett	do	do	1	"	Oct. 15, "	Shoe maker	Farmer.
58	John Ayres	Poinsett	Murder in 2d degree	5	"	Oct. 17, "	Cook	Farmer.
59	John Petty	St. Francis	Larceny	1½	"	Nov. 1, "	Sash maker	Carpenter.
60	J. T. Head	Izard	do	1	"	Nov. 7, "	Laborer	Farmer.
61	Milton Whitley	Washington	do	5	"	Nov. 14, "	Wagon maker	Farmer.
62	Frank Davis	Jefferson	do	2	"	Nov. 21, "	Cooper	Farmer.
63	I. A. R. Gatch	Pulaski	do	1½	"	Nov. 22, "	Trunk maker	Trunk maker.
64	John Vaughan	Mississippi	do	1	"	Nov. 29, "	Chair maker	Farmer.
65	James Trimble	Prairie	do	5	"	Dec. 8, "	Cooper	Laborer.

Table A--NO. 1—Concluded.

No.	NAMES OF PRISONERS.	From whence received.	Crimes.	Length of sentence.	When received.	Present Occupation.	Previous Occupation.
66	Negro Alford	Hempstead	Murder	18 "	Dec. 15, '59	Waiter	Farmer.
67	Edward Flynn	Desha	Larceny	1 "	Dec. 18, "	Cook	Laborer.
68	James Coburn	do	do	1½ "	same	Laborer	Pugilist.
69	John Short	do	do	1½ "	same	Chair maker	Pugilist.
70	John Johnson	do	do	1 "	same	Blacksmith	Farmer.
71	John Kelley	Sebastian	do	1 "	Dec. 31, "	Chair maker	Soldier.
72	George Gee	do	Murder in 2d degree	12 "	same	Cooper	Confectioner.
73	John Roberts	do	Larceny	5 "	same	Chair maker	Brush maker.
74	Ed. Northam	Jackson	do	2 "	Jan. 4, 1860	same	Finisher.
75	Charles Gales	Crawford	do	1 "	Feb. 14, "	same	Harness maker.
76	George R. Marshall	Sebastian	do	1 "	March 11, "	same	Farmer.
77	James Burton	do	do	3 "	same	Shoe maker	Farmer.
78	W. L. Grey	do	Murder in 2d degree	21 "	same	Turns grindstone	No business.
79	John Wood	do	Manslaughter	7 "	same	Cooper	Farmer.
80	James Smith	do	Larceny	1 "	same	Washer	Laborer.
81	John Wilsie	do	do	5 "	same	Wagon maker	Farmer.
82	Alexander King	Independence	do	1 "	March 17, '60	Cooper	Farmer.
83	John Arnold	Monroe	do	1 "	" 22 "	Wagon maker	Farmer.
84	Elisha Samuels	Clark	Horse stealing	10 "	same	Laborer	Farmer.
85	Porter Thompson	Johnson	do do	5 "	April 3, "	Carpenter	Farmer.
86	John Tims	do	do do	5 "	same	Tailor	Tailor.
87	Sam. Chism	Newton	Larceny	1 "	" 4, "	Shop tender	Farmer.
88	A. J. Robertson	Franklin	Assault with intent to kill.	3 "	" 11, "	Harness maker	Harness maker
89	Wm. Buchanan	Saline	do do	3 "	" 25, "	Cook	Farmer.
90	Wm. Paygne	Ouachata	Larceny	2 "	" 27, "	Cooper	Farmer.
91	Sally Freel	Pulaski	Murder	7 "	May 7, "	Tailoress	
92	Wm. Banks	Washington	Larceny	2 "	" 13, "	Shoemaker	Shoemaker.
93	Thomas Ridley	do	Horse stealing	5 "	same	Cooper	Farmer.
94	C. L. Short	Columbia	Murder in 2d degree	8 "	May 15, "	Painter	Farmer.
95	John Haines	Desha	Larceny	1 "	June 14, "	Shop tender	Laborer.

96	John Riley	do	Robbery	1½ "	same	Chair maker	Baker.
97	John Shaan	do	do	1½ "	same	same	Laborer.
98	John Konegl	Phillips	Murder	7 "	June 20, "	same	Laborer.
99	Jacob Pittman	Sebastian	Murder in 2d degree	15 "	" 24, "	Laborer	Tavern keeper.
100	Elijah Sisk	Johnson	Larceny	1 "	" 25, "	Shop tender	Farmer.
101	W. H. Cannon	Jackson	do	1 "	July 3, "	Painter	Carpenter.
102	David Rushins	do	do	2 "	same	same	Farmer.
103	George McDuffie	White	do	6 "	July 14, "	Cooper	Farmer.
104	Wm. Broadman	Hot Spring	do	1 "	Aug. 27, "	Wood chopper	Farmer.
105	Wm. Powell	Independence	do	1 "	Sept. 17, "	Laborer	Laborer.
106	W. Partain	Franklin	do	1 "	" 23 "	Turning grindstone	Laborer.
107	John Young	Chicot	Horse stealing	5 "	Oct. 17, 1855	Shoemaker	Shoemaker.
108	Charles Stewart	W. U. S. Dist'ct	Passing counterfeit money	3 "	June 4, 1858	Shoemaker	Laborer.
109	Sam Martin	do	Assault with intent to kill.	5 "	same	Turner	Wagon maker.
110	J. R. Buchanan	E. U. S. Dist'ct	Forging app'l for land w'nt.	7 "	July 14, "	Chair maker	Lawyer.
111	Frank Hill	do	Robbing the mail	6 "	Oct. 7, "	Wagon maker	Clerk.
112	Charles Geary	W. do	Manslaughter	3 "	Dec. 22, "	Striker	No business.
113	J. A. Wilson	E. do	Robbing the mail	10 "	April 11, '59	Cooper	Mail rider.
114	A. P. Hurst	W. U. S. Distc't	Manslaughter	3 "	Dec. 14, "		
115	Charles Lyons	do	Larceny	1 "	same	Invalid	Doctor.
116	James Kyle	do	do	1 "	same	Shoemaker	Farmer.
117	Richard Thompson	do	do	1 "	same	Wagon maker	Clerk.
118	John Raner	do	Murder	Life.	June 8, 1860	Turner	Farmer.
119	John Newsom	do	Larceny	1 "	same	Shop tender	Laborer.
120	L. D. Yates	do	do	1 "	same	Laborer	Laborer.
121	Henry Whittington	do	do	1 "	same	same	Laborer.
122	Bill, runaway slave	Saline			April 17, 1856		
123	Henry, do				Nov. 14, "		
124	Bill, do				June 20, 1860		

Table A—No. 2.

No.	Names of Prisoners.	Ages when received.	State of health.	State of instruction.	Place of nativity.	Habits of life.	Social relations.	GENERAL REMARKS.
1	Wm. Johnson	33 years.	Good	No education	New York	Temperate	Single man	Bad behavior.
2	Wm Harles	50	Feeble	same	Alabama	Intemperate.	5 children	Good behavior—very bad health.
3	C. Underwood	52	Good	same	N. Carolina	same	Family	Moderate behavior.
4	G. W. Scoggin	26	do	Good education	same	Temperate	Single man	do do has been bad.
5	R. Ewalt	29	do	Common education.	Kentucky	same	same	do do
6	John Young	21	Sick	No education	Germany	Intemperate.	same	do do
7	Ben. Bibb	35	Good	Common education.	Alabama	same	same	Good do
8	A. Lawless	64	do	No education	Virginia	Temperate	Has family	Moderate do
9	Sam'l Maloney	53	do	same	Georgia	same	same	Good do
10	Daniel Page, f. m. c.	40	do	Can read	Virginia	same	same	do do
11	R. Bradley	37	do	No education	N. Carolina.	same	same	do do
12	John Dunaho	25	do	Common education.	Pennsylvania	Intemperate.	Single man	Moderate behavior—has been bad.
13	Wm. Meeks	32	do	No education	same	Temperate	same	do do
14	J. Richardson	32	Feeble	Common education.	Ohio	same	same	Good do
15	Loui Sumpter	22	Bad	same	Virginia	same	same	do do
16	Daniel Ross	25	Good	Good education	C. Nation	Intemperate.	Has a wife	do do
17	Peter Hunt	22	do	Common education.	New York	Temperate	Single man	Bad behavior—2d imprisonment.
18	W. B. Gann	16	Feeble	Can read	Tennessee	same	same	Moderate behavior, 2d imprisonm't.
19	Dan'l Lee	23	Good	Common education.	Missouri	Intemperate.	same	do do escaped & retaken.
20	R. Blockstone	23	do	same	Tennessee	same	Has a family	Good do
21	Wm. Buchanan	25	do	same	same	same	Single man	do do
22	Charles Johnson, f. m. c.	34	do	No education	Missouri	same	Has a family	do do
23	John Powers	19	do	Common education.	Alabama	Temperate	Single man	do do
24	Loui Smith	29	do	same	Kentucky	Intemperate.	Has a family	do do
25	James Ard	28	Feeble	same	same	same	same	do do
26	H. W. Davis	32	Good	same	N. Carolina	same	same	do do
27	Elias Good	43	do	same	Germany	Temperate	Single man	do do
28	Charles Stewart	21	do	same	Illinois	same	same	do do
29	Sam'l Martin	32	do	same	Chero. nation	same	Has a family	Moderate do
30	C. McGrew	27	do	same	Tennessee	same	same	do do
31	Lawrence Cain	20	do	same	England	Intemperate.	Single man	Bad do

32	H. W. May	32	Good	Common education	Maryland	Temperate	Has a family	Good behavior.	
33	J. R. Buchanan	34	do	Good do	N. Carolina	same	same	Bad behavior.	
34	Thomas Davis	21	do	Can read	Arkansas	same	same	do	do
35	Sol McCoy	22	do	No education	Virginia	Intemperate	Single man	Good behavior.	
36	Peter Garner	17	do	Common education	Tennessee	same	same	Bad	do
37	Fielding Garner	20	do	same	same	same	same	do	do
38	Wm. Thornton	20	do	No education	same	same	same	do	do
39	Charles Grimm	26	do	Common education	Germany	Temperate	same	Moderate behavior.	
40	Nimrod Rucker	27	do	same	Tennessee	same	Has a family	Good	do
41	J. W. Dark	21	Bad	same	Arkansas	Intemperate	Single man	Bad	do
42	R. Helms	21	Good	Can read	N. Carolina	Temperate	same	Good	do
43	T. H. Walker	21	do	No education	Arkansas	same	same	do	do
44	John Smith	29	do	Common education	Pennsylvania	same	same	do	do has been bad.
45	James Carter	22	do	same	Tennessee	same	same	Very bad behavior.	
46	Thos. Matheny	22	do	same	same	same	same	Good	do
47	F. Harville	21	do	same	Arkansas	same	same	do	do
48	Ellis Blythe	32	do	same	Tennessee	same	same	do	do 2d imprisonment
49	G. H. Goad	19	do	No education	same	Intemperate	same	Moderate	do
50	Wm. Kinger	27	do	same	same	Temperate	Has a family	do	do
51	P. W. Smith	35	do	Common education	Missouri	Intemperate	same	Good	do
52	Anthony Hanly	34	do	same	Canada	same	Single man	do	do
53	Charles Collins	26	do	same	Mass.	same	same	Bad	do
54	Sam. Kellons	82	do	Can read	Virginia	Temperate	same	Good	do
55	Wm. Wilson	33	do	Good education	Pennsylvania	Intemperate	Has a family	Moderate	do
56	Thos. Carder	23	do	Common education	S. Carolina	same	Single man	Very bad	do
57	N. J. Cheek	30	do	No education	N. Carolina	Temperate	Widower	Good	do
58	A. A. McTier	19	Bad	Common education	Tennessee	same	Single man	Moderate	do
59	John Hall	24	Good	same	Kentucky	Intemperate	same	Good	do
60	A. Bennett	35	Bad	Can read	New Jersey	Temperate	same	do	do
61	John Ayres	47	Good	Common education	Tennessee	same	Has a family	do	do
62	John Petty	23	do	same	N. Carolina	same	Single man	do	do
63	J. T. Head	43	do	same	S. Carolina	same	Has a family	do	do
64	Milton Whitley	25	do	same	same	Intemperate	Single man	do	do
65	Frank Davis	22	do	same	Alabama	Temperate	same	do	do
66	J. A. Gatch	30	do	Good educatiou	Maryland	same	Has a family	Bad	do
67	John Vaughan	17	Bad	Common education	New York	Intemperate	Single man	Good	do
68	J. M. Trimble	19	Good	No education	Arkansas	Temperate	same	Moderate	do

Table A—No. 2—Concluded.

No.	Names of prisoners.	Ages when received.	State of health.	State of instruction.	Place of nativity.	Habits of life.	Social relations.	GENERAL REMARKS.	
69	Negro Alford	60 years.	Feeble	No education	Virginia	Temperate	Single man	Good behavior.	
70	Edward Flynn	27	do	same	Ireland	same	same	do do	
71	James Cobourn	26	Good	Common education.	New York	Intemperate.	Has a family	Moderate do	
72	John Short	22	do	No education	Scotland	same	Single man	do do	
73	John Johnson	26	do	same	Illinois	same	Has a family	Good do	
74	John Kelley	30	do	same	Ireland	same	Single man	do do	
75	Geore Gee	27	do	Common education.	same	same	same	do do	
76	John Roberts	38	do	same	Pennsylvania	same	same	do do	
77	Ed. Northam	37	do	same	Germany	same	Has a family	do do	
78	Charles Gales	21	do	same	Illinois	Temperate	Single man	do do	
79	G. R. Marshall	28	do	same	same	Intemperate.	Has a family	Moderate do	
80	James Burton	33	do	same	Tennessee	same	same	do do	
81	W. L. Grey	17	do	same	Arkansas	same	Single man	Bad do	
82	John Wood	32	do	No education	Tennessee	same	Has a family	Bad do	
83	James Smith	35	do	Common education.	Ireland	same	same	Moderate do	
84	Joseph Wilsie	42	do	No education	Ohio	same	same	do do	
85	Alex. King	32	do	same	N. Carolina.	Temperate	Single man	Good do	
86	John Arnold	22	do	Good education	Pennsylvania	Intemperate.	same	Moderate do	
87	Elish. Samuels	29	do	Can read	Alabama	same	same	Bad do	
88	Porter Thompson	21	do	Common education.	Tennessee	Temperate	Has a family	Moderate do	
89	John Timms	40	do	same	S. Carolina	same	same	Good do	2d imprisonment.
90	Samuel Chism	19	do	No education	Mississippi	same	Single man	do do	
91	A. J. Robertson	24	do	Common education.	Tennessee	Intemperate.	same	Moderate do	
92	Wm. Buchanan	47	Bad	Can read	same	Temperate	Has a family	Good do	
93	Wm. Paygne	22	Good	Common education.	Alabama	Intemperate.	Single man	do do	
94	Sally Freel	31	do	No education	Arkansas	Tempetate	Widow	do do	husband hung.
95	W. Banks	34	Bad	Good education	Virginia	same	Single man	do do	
96	Thos. Ridley	21	Good	No education	Alabama	same	same	Moderate do	
97	C. L. Short	22	do	Common education.	Mississippi	same	same	Good do	
98	John Haines	39	Bad	same	New York	Intemperate.	Widower	do do	
99	John Riley	25	do	same	Ireland	same	Single man	Moderate do	

100	John Shaan	28	Good	Common education.	Ireland	Intemperate.	Single man	Moderate behavior.		
101	John Konegl	48	do	same	same	same	Has a family	Good	do	
102	Jacob Pittman	35	do	same	Tennessee	Temperate	same	Bad	do	
103	E. Sisk	25	do	No education.	Georgia	same	same	Good	do	
104	W. H. Cannon	19	do	Common education.	Mississippi	same	Single man	do	do	
105	D. C. Rushins	29	do	same	Tennessee	same	Has a family	do	do	
106	G. McDuffie	20	do	same	Louisiana	same	Single man	do	do	
107	W. Broadman	16	do	No education.	Tennessee	same	same	do	do	
108	J. R. Buchanan	39	do	Good do	N. Carolina	same	Has a family	Bad	do	
109	Charles Gary	18	do	Common education	Mississippi	Intemperate.	Single man	do	do	escaped & retaken.
110	F. M. Hill	21	do	Good education	Tennessee	Temperate	same	Good	do	
111	A. P. Hurst	62	do	same	N. Carolina	same	Has a family	do	do	
112	Charles Lyons	30	Bad	same	New York	same	Single man	do	do	
113	James Kyle	21	do	Common education.	Alabama	same	same	Moderate	do	
114	Sam Martin	32	Good	same	Georgia	Intemperate.	Has a family	Bad	do	
115	John Raner	60	Bad	No education.	S. Carolina	Temperate	same	Good	do	
116	John Newsom	17	Good	Common education.	Mississippi	same	Single man	do	do	
117	L. D. Yates	19	do	same	Tennessee	same	same	do	do	
118	Henry Whittington	18	do	Can read	Missouri	same	same	do	do	
119	Wm. Powell	18	do	No education.	Arkansas	same	same	do	do	
120	Willoughby Partain	38	do	Good do	same	same	Has a family	do	do	
121	Oliver Cooper	19	Bad	No do	same	same	Single man	do	do	
122	Bill, runaway slave									
123	Henry, do									
124	Bill, do									

Table B--No. 1.

EXHIBITING *The number of prisoners in the Arkansas State Prison, on October 1st, 1858, and since received up to 1st October, 1860, etc., etc.*

Number of prisoners remaining		89
Received from different state courts	86	
" " " U. S. courts	27	
" " runaway slaves	4	117
Total		206
Pardoned and restored to citizenship by his excellency, the Governor	30	
State prisoners discharged by expiration of sentence	22	
U. S. prisoners discharged by expiration of sentence	19	
Prisoners that have died	4	
" " committed suicide	1	
" " escaped and not retaken	3	
Runaway slaves taken out	3	82
Now in confinement		124

No. 2.

FOR WHAT CRIMES CONVICTED.

Murder in 1st degree, commuted from hanging to imprisonment for life		1
Murder in 2d degree		14
Murder		5
Manslaughter		6
Assault with intention to kill		4
Assault with intention to commit rape		1
Felonious assault		1
Administering poison with intention to kill		1
Larceny, horse stealing	18	
" negro stealing	5	
" pettit	53	
		76
Robbing the U. S. mails		2
Escaping from the penitentiary		2
Arson and larceny		1
Passing counterfeit money		6
Forgery		2
Runaway slaves		3
Total		124

No. 3.

FROM WHENCE RECEIVED.

Crawford county	7	Mississippi county	3
Chicot "	2	Newton "	1
Calhoun "	1	Ouachita "	1
Columbia "	1	Pulaski "	10
Carroll "	1	Phillips "	6
Conway "	0	Pope "	3
Crittenden "	1	Perry "	1
Desha "	9	Poinsett "	1
Clark "	1	Sebastian "	12
Fulton "	1	Saline "	4
Franklin "	2	Sevier "	1
Hempstead "	3	St. Francis "	1
Izard "	1	Prairie "	1
Independence county	2	Madison "	2
Johnson "	3	Jackson "	5
Jefferson "	5	Hot Spring "	1
Lafayette "	1	White "	4
Lawrence "	3	Washington "	5
Monroe "	1	U. S courts	14
		Runaway slaves	3
			124

No. 4.

LENGTH OF SENTENCES.

For 1 year	26	For 9 years	2
" 1½ "	6	" 10 "	8
" 2 "	8	" 12 "	3
" 3 "	12	" 13 "	1
" 3½ "	2	" 14 "	1
" 4 "	4	" 15 "	1
" 5 "	25	" 18 "	1
" 6 "	2	" 21 "	4
" 6½ "	1	" life	1
" 7 "	10	Runaway slaves	3
" 8 "	3		
		Total	124

No. 5.

AGES WHEN RECEIVED.

Under 20 years of age	17
Between 20 and 30 years of age	59
" 30 and 40 " "	32
" 40 and 50 " "	5
" 50 and 60 " "	3
" 60 and 70 " "	4
82 years of age	1
Runaway slaves	3
Total	124

No. 6.

RACE AND SEX.

White males	117
White females	1
Free-men-of-color	3
Runaway slaves	3
Total	124

No. 7.

STATE OF INSTRUCTION.

No education	35
Can read	19
Common education	64
Good education	13
Runaway slaves	3
Total	124

No. 8.

SOCIAL RELATIONS.

Have families	41
Widow	1
Widowers	3
Single men	76
Runaway slaves	3
Total	124

No. 9.

HABITS OF LIFE.

Temperate	70
Intemperate	51
Runaway slaves	3
Total	124

No. 10.

PLACES OF NATIVITY.

Natives.		*Foreigners.*		
Arkansas	9	Canada		1
Alabama	9	England		1
Cherokee Nation	2	Germany		4
Georgia	3	Ireland		7
Illinois	4	Scotland		1
Kentucky	5			14
Louisiana	1	Natives	107	
Missouri	4	Runaway slaves	3	110
Maryland	1	Total		124
Mississippi	5			
Massachusetts	1			
New York	6			
New Jersey	1			
North Carolina	12			
Ohio	2			
Pennsylvania	6			
South Carolina	5			
Tennessee	25			
Virginia	6			
	107			

No. 11.

LIST OF PRISONERS *Discharged by expiration of sentence.*

No.	NAMES OF PRISONERS.	From whence received.	Crimes.	Sentence.	When received.	Nativity.	When discharged.
1	A. W. Edens	Columbia	Larceny	1½ y'rs	May 14, 1857	Louisiana	Nov. 13, 1858.
2	S. J. Rambo	Lawrence	same	1 "	Nov. 27, 1857	Tennessee	Nov. 27, 1858.
3	Jno. Edwards	Scott	Burglary and larceny	4 "	Dec. 5, 1854	Arkansas	Dec. 4, 1858.
4	Wm. Edwards	do	same same	4 "	same	same	same
5	Jno. Simmons	do	same same	4 "	same	Alabama	same
6	Chas. Griffin	Chicot	Larceny	2 "	Dec. 20, 1856	Pennsylvania	Dec. 10, 1858.
7	Wm. Rye	White	same	1 "	Jan. 15, 1850	Tennessee	Jan. 13, 1859.
8	James O'Brien	Phillips	same	1 "	Dec. 12, 1857	Ireland	Dec. 12, 1858.
9	B. McLaughlin	do	same	1 "	same	same	same
10	John Thomas	do	same	1 "	same	same	same
11	James Monroe	do	same	2 "	Dec. 16, 1856	Indiana	Dec. 15, 1858.
12	F. F. Tucker	Independence	same	2½ "	Sept. 22, 1856	Kentucky	March 21, 1859.
13	A. Thompson	W. U. S. District.	Assault with intent to kill	3 "	June 3, 1856	Ireland	June 3, 1859.
14	L. Williams	do	Passing counterfeit money	3 "	same	Louisiana	same
15	George Hummel	do	same same	3 "	same	Pennsylvania	same
16	H. Dunlap	do	Larceny	1 "	June 4, 1858	North Corolina	June 4, 1859.
17	Jno. Spirit	do	same	1 "	same	Cherokee Nation.	same
18	James Williams	do	same	1 "	same	Arkansas	same
19	Scipio Barnett	do	Introducing liquor in the Nation	15 days.	May 29, 1859	same	June 12, 1859.
20	Richard Morton	do	same	15 "	same	same	same
21	R. Craft	do	same	30 "	same	Missouri	June 29, 1859.
22	Wm. Feters	Crawford	Rape	10 "	June 15, 1849	Indiana	July 14, 1859.
23	Wyatt Evans	W. U. S. District.	Larceny	1 "	Dec. 14, 1850	Tennessee	Dec. 14, 1859.
24	Jos. Brickle	do	same	1 "	same	Kentucky	same
25	May-sut-la, Indian	do	same	1 "	same	C. Nation	same
26	Little Duck, do	do	same	1 "	same	C. Nation	same
27	Geo. Singleton	do	Giving liquor to Indians	15 "	Dec. 14, 1859	Virginia	Dec. 29, 1859.
28	Edw. Bartlett	Phillips	Larceny	1 year.	Dec. 10, 1858	Missouri	Dec. 10, 1859.
29	Paul Andrie	W. U. S. District.	Giv. spirituous liquor to Indians	20 days.	Dec. 14, 1859	Indiana	Jan. 3, 1860.

30	Alex. Henry	W. U. S. District	same	same	30 days.	Dec. 14, 1859	Mississippi	Jan. 14, 1860.
31	E. Benton	Jefferson	Larceny		5 years.	Jan. 19, 1855	South Carolina	January 16, 1860.
32	G. W. Barnes	Johnson	Murder		3 "	March 25, 1857	Ohio	March 26, do
33	Jno. Burnett	Pope	Larceny		1 "	March 29, 1859	North Carolina	March 29, do
34	No-na, Indian	W. U. S. District	same		1 "	same	C. Nation	May 29, do
35	A. McKinney, Indian	do	same		1 "	May 29, 1859	same	same
36	Sol. Ellis	Pulaski	same		1 "	same	Arkansas	June 7, do
37	F. W. Leakler	Phillips	same		3½ "	June 7, 1859	France	June 14, do
38	James Bays	W. U. S. District	Selling liquor to Indians		30 days.	Dec. 16, 1856	Texas	July 8, do
39	M. M. Christerberg	Crawford	Larceny		1 year.	June 8, 1860	Michigan	Aug. 14 do
40	Jno. Dillingham	Montgomery	same		1 "	Sept. 14, 1859	Ohio	Sept. 7, do
41	Eli Overton	Conway	Forgery		1 "	Sept. 17, 1855	Tennessee	Sept. 16, do

No. 12.

LIST OF PRISONERS *Pardoned and restored to citizenship by His Excellency, the Governor.*

No.	NAMES OF PRISONERS.	From whence received.	Crimes.	Sentence.	When received.	Nativity.	When pardoned or restored.
1	S. Powers	Sebastian	Larceny	1 year.	March 3, 1858	Arkansas	November 6, 1858.
2	W. Randolph	Chicot	Negro stealing	10 "	Nov. 5, 1851	Missouri	Nov. 26, do
3	Geo. Eason	Pulaski	Manslaughter	2 "	May 31, 1850	Tennessee	same
4	L. Bryan	Columbia	Assault with intent to kill	13 "	May 18, 1856	same	Nov. 19, do
5	J. A. House	Chicot	Horse stealing	15 "	April 26, 1851	same	January 26, 1859.
6	W. H. Delaney	Calhoun	do do	7 "	Dec. 11, 1854	North Carolina	same
7	L. Pryor	Monroe	do do	6 "	Oct. 30, 1855	Tennessee	Feb. 1, do
8	Wm. Griggs	Lafayette	do do	5 "	Dec. 5, 1856	Georgia	Feb. 24, do
9	Wm. Scott alias J. B. Lester	Phillips	Negro stealing	14 "	Feb. 21, 1855	same	March 18, do
10	Robt. Neatherby	Marion	Larceny	1 "	May 5, 1858	Virginia	May 3, do
11	Jno. Simmons	Carroll	Horse stealing	5 "	Oct. 12, 1857	Georgia	June 14, do
12	Thos. Gilliam	Pulaski	Manslaughter	2 "	May 31, 1858	Kentucky	June 29, do
13	John McGraw	do	do	2 "	same	Arkansas	same
14	James Eason	do	do	2 "	same	Tennessee	same
15	B. McGowan	do	Murder in 2d degree	7½ "	Jan. 10, 1852	Ireland	July 13, do
16	John Miller	Carroll	Larceny	1 "	Oct. 7, 1858	Germany	Oct. 6, do
17	Wm. Sutton	Marion	do	1 "	Oct. 30, 1858	Tennessee	Oct. 24, do
18	Levi Johnson	Washington	do	1 "	Nov. 9, 1858	Virginia	Nov. 8, do
19	B. F. Davis	Jefferson	Manslaughter	2 "	Nov. 19, 1857	Georgia	Nov. 9, do
20	Geo. Walters	Washington	Negro stealing	10 "	April 30, 1850	Missouri	April 14, 1860.
21	Sam. Jones	Prairie	Manslaughter	1 "	May 31, 1859	Tennessee	May 1, do
22	Patrick Griffin	Mississippi	Murder in 2d degree	7 "	May 15, 1853	Ireland	May 12, do
23	Sam. Earnhart	Randolph	Larceny	1 "	June 4, 1859	North Carolina	May 26, do
24	W. W. Collier	Johnson	Murder in 2d degree	7 "	April 2, 1859	Tennessee	June 2, do
25	Ben. F. Bartley	Lawrence	Manslaughter	21 "	May 13, 1852	Unknown	same
26	David Bixby	Hempstead	Murder	15 "	Jan. 28, 1853	New York	same
27	J. E. Land	Pulaski	Forgery	7 "	June 7, 1853	Virginia	same
28	Edward Harding	Crawford	Murder	21 "	Jan. 27, 1854	Pennsylvania	same
29	Wm. Golden	Mississippi	Murder	21 "	May 27, 1853	Ireland	June 6, do
30	John Casey	Sebastian	Larceny	1 "	March 12, 1860	Virginia	July 30, do

REPORT

OF THE

ATTENDING PHYSICIAN.

LITTLE ROCK, ARKANSAS,
October 8, 1860.

MESSRS. GEORGE & ROBINS:

Gentlemen—In compliance with your wishes, I respectfully submit the following report of the mortuary list, and a summary statement of the sanitary condition and medical management of the convicts of the state penitentiary, under your charge, from October 8th, 1858, to this date.

An examination of the sum and causes of mortality among the inmates of the prison during the past two years, exhibits the following results, viz:

1. S. Nixon, chronic dysentery.
2. M. Beall, " "
3. E. Clark, chronic diarrhea.
4. J. H. Tuggle, suicide.
5. J. M. Franklin, consumption.

Tuggle was an old and feeble minded man, and imprisoned for twenty-one years, for manslaughter. Franklin was brought to the penitentiary in last stages of consumption, and died in a few months, without, to my knowledge, being able to leave the hospital, after his imprisonment. Nixon was brought to the penitentiary with the disease from which he died.

The number of patients have not been greater the past two years than was mentioned in the last report. Notwithstanding

the increased number of inmates during the past summer the convicts have enjoyed an unprecedented immunity from disease of any kind. The autumual and epidemic diseases, peculiar to this climate, and especially to this institution, have been mild in their character, and yielded readily to the remedies applied for their cure. In the opinion of the undersigned, the system of management adopted by Mr. Ward, the past summer, has greatly contributed to the healthfulness and orderly deportment of the men. Most of the old occupants of the hospital are now able to perform some police or other useful service.

The proximity of the hospital to the cooking department, renders it almost useless during the hot weather, and I must still insist upon their separation. A hospital should be well ventilated, clean and free from disagreeable odors.

There are about one hundred and thirty prisoners confined in the building, of whom only five have died during two years, from disease and casualties; and when it is remembered that most of those men were brought to the penitentiary from the jails of the different counties with vitiated constitutions, and the lowest moral qualities and habits, it will be seen that the mortuary list is a very small one.

The present condition of the health of the penitentiary is good. Lyons is in the hospital suffering from consumption of the lungs. Two cases of typhoid fever, (both doing well,) and a few old hangers-on who do police and other duties about the hospital.

I take pleasure in acknowledging the uniform courtesies and cheerful co-operation of the proprietors of the prison in aiding me in the discharge of my duties, and their readiness in providing whatever was deemed necessary to promote the comfort and recovery of the sick.

Respectfully,

your obedient servant,

C. PEYTON, *M. D.*

REPORT

OF THE

CHAPLAIN.

LITTLE ROCK, ARKANSAS,
October 5th, 1860.

To His Excellency,
ELIAS N. CONWAY,
Governor of Arkansas:

DEAR SIR—Acting under a commission from you since the 28th February, A. D. 1859, I have endeavored to discharge the duties required by me as chaplain to the inmates of the Arkansas state prison; and can say of a truth, that with solicitude and anxiety, I have made repeated efforts for their mental and moral improvement. I regret that these ministrations have not been more effective, and followed with more extensively good results. But, though all has not been accomplished that I could wish, it affords me pleasure to say, that the attention and apparent interest manifested in religious seriousness have been exemplary, encouraging and auspicious—hardened men have been aroused, and, for the time at least, were willing listeners. They were compelled to feel that they had been recreant to their own interest, and had wilfully debased the highest attributes of their nature. Very frequently, in my intercourse with them, I have found them anxious to speak of the impressions produced; manifesting a desire to obtain further instruction, while in most cases the instruction thus given has been thank-

fully received. It is frequently the case, that some of them voluntarily call on me after public service and before retiring to their cells; the interview with such has generally produced solemn impressions upon my own mind; the apprehension would force itself upon me that they might again subordinate this feeling to debased passion. I am happy, however, to add, that some of them have so conducted themselves as to inspire hope, and afford ground of encouragement to persevere in the use of all possible means for their moral improvement and final reclamation.

Though there are many things associated with the service I am called upon to render, I have strong hope that he who drew near to him the publicans and sinners, who did not repel the contrite of any grade, or deny the prayer of the dying thief, will make it the occasion of lasting good, in many instances, which may not be known to us.

If I might be permitted to suggest anything as to the future course to be pursued, I would recommend, that, in addition to the efficient discipline lately introduced—which I consider a great improvement on the old order of things—there should be a prison library, consisting of a well selected lot of books, such as would please and entertain, and, at the same time, improve the morals of the prisoners.

It is due to the truth of history to say, that each cell in the prison has been supplied with a copy of the Holy Scriptures as a free donation from the American Bible Society.

In conclusion, I beg leave to say, that I am under many obligations to all the officers of the prison with whom I have been associated, for the respectful consideration I have received at their hands.

Respectfully,

D. L. G. McKENZIE, *Chaplain.*

REPORT

OF THE

SUPERINTENDENT

OF THE

PENITENTIARY.

LITTLE ROCK, ARKANSAS,
October 30th, 1860.

To his Excellency ELIAS N. CONWAY,
Governor of the State of Arkansas:

SIR—The undersigned was appointed superintendent of the Arkansas Penitentiary, on the 26th day of February, 1859, and qualified immediately and entered upon the discharge of the duties imposed on him by the provisions of the 4th and 11th sections of an act of the General Assembly of the State of Arkansas, "to provide for the management and control of the penitentiary," approved 17th day of February, 1859.

Owing to the scarcity of good drinking water at the prison before a new well was dug and a cistern constructed, water was hauled for four or five months in the dry season of the year.

In May last, the wall of the old well gave way near the bottom, which caused it to fill up with dirt and mud, so the water was not fit to drink, or to use for any purpose. By the wall giving way near the bottom of the well, the earth sunk around it at the top. An effort was made to remove the sunken and loose dirt, and also, to remove the curbing of

the well which was of brick. The dirt and brick were taken out some eight or ten feet, when the keeper of the prison became fearful, that if the loose dirt and brick were removed to the bottom of the well, the main wall around the prison might be undermined and seriously injured, as the well was not more than eight or ten feet from the wall, and about 35 or 40 feet deep. Upon a careful examination of the situation and condition of the well, and its proximity to the main wall, it was determined at once, as the best policy to fill up the old well, and dig a new one, where it could not affect the prison wall, and it was believed that the old one did.

Under the direction of your excellency, a contract was made with A. J. Ward, esq., the present keeper, under the contract of Messrs. George & Robins, to construct and build a cistern within the main walls of the prison, of sufficient capacity to contain 40 or 50 thousand gallons of water, with proper conductors to carry the water from the buildings into the cistern; and to attach to it a good and substantial engine pump, and three hundred feet of good leather hose; and also, to dig and wall up a new well, at the prison, for the consideration of $1,200 00. The well and cistern have been completed in accordance with the contract; with the best materials and in a substantial and durable manner, and the work has been paid for by the state. The cistern and well are sufficient to supply the prison in future with a plenty of good drinking water.

In consequence of a steady increase in the number of convicts in the penitentiary, it will be necessary to provide additional cells for their security and safe keeping. Six more cells can be made in the prison by stopping up a pass-way in the center of the building between the present cells, that is of no practical use, and now serves as a hiding place for the more idle convicts, who wish to dodge from the keeper, to get a chance to consult with their fellow convicts, as they pass in and out of the prison building. This plan will give two additional cells on each story of the prison, making six in all. To make these cells complete, a very trifling sum would be sufficient, as nothing is needed but a small number of bricks and a little mason work, with six iron doors, to render them complete for the reception of convicts. But if the increase of convicts in the prison for the next two years, should equal the number for the past two years, a much greater number than these six cells will be needed. Additional workshops are now necessary to afford room to work the present convicts to advantage. To supply the wants and necessities of the institution new cells in which the convicts may be securely kept and new workshops will have to be constructed.

The convicts in the penitentiary since my appointment as superinten-

dent, have been well clothed, fed and humanely treated. Their rations have been plentiful and of wholsome food.

The keeper has been uniformerly kind and prompt to give medical aid to the sick and complaining convicts, and to furnish them when sick with suitable diet for sick persons, whenever they needed it.

Rules and regulations have been prescribed by the undersigned, for the government of, and discipline of the convicts of the penitentiary; which were approved by the governor, as required by the 4th section of the act of the General Assembly, before mentioned. The keeper of the penitentiary has complied with these rules and regulations; and also, has compelled the convicts in the prison to conform to them, by the establishment of a new, strict, and thorough system of discipline since their adoption for the government of the penitentiary. The system as now established and enforced in the prison, will compare favorably with that of any other institution of the kind in the United States. It cost the keeper considerable trouble and expense to put this system of discipline in practice; as the convicts had to be thoroughly drilled in it, which consumed much time, during which the labor of the convicts would have been valuable to the keeper of the prison. However, from the manner in which it has worked so far, it promises much good in the future, and should be carried out by all means. The convicts are required by it to work constantly during the working hours, in order and in silence. A copy of the rules and regulations prescribed for the government and discipline of the convicts, is annexed to and forms a part of this report.

The chaplain, the Rev. Mr. McKenzie, has been prompt and efficient in the discharge of his duties at the prison. He merits, as well as receives the sincere thanks of all the convicts, as well for his efficiency in his admonitions and holy teachings as for his well known and universal kindness of heart.

The undersigned would respectfully recommend to your consideration, a copy of an act passed by the legislature of the state of Tennessee, allowing to the convicts in the penitentiary of that state, two days in each month of the time they are sentenced to said prison, upon the report of the keeper, that their conduct has been good for that time, for the encouragement of the prisoners to conduct themselves with industry and propriety in the penitentiary. It is believed that if a similar act was passed by the legislature of this state, it would have the effect here, to produce a spirit of good conduct among the convicts in the Arkansas penitentiary. I think it is worth a fair trial at least. A copy of said act is annexed to, and forms a part of this report. Respectfully,

A. H. RUTHERFORD, *Superintendent*
Arkansas Penitentiary.

RULES AND REGULATIONS

TO BE OBSERVED BY CONVICTS IN THE ARKANSAS PENITENTIARY—DUTIES OF THE KEEPER AND HIS ASSISTANTS.

1. It is the duty of the keeper to keep a register, in which he shall regularly enter the reception, the previous moral character, habits and education, (as far as the same can be ascertained,) and the discharge, death, pardon, or escape of every prisoner; and also the complaints that are made, and the punishment that is inflicted for breach of prison discipline, as they occur.

2. The keeper shall have entire control and management of all of its concerns, subject to the authority established by law, and the rules and regulations adopted for its government.

3. It shall be his duty to obey, and carry out all written orders and instructions, that he shall from time to time receive from the superintendent, approved by the governor; and he shall be held responsible for the manner in which the said penitentiary is managed and conducted.

4. He shall visit the penitentiary, and examine daily into the state thereof; visit every department, and see every prisoner confined therein, as often as good order and necessity may require.

5. He shall exercise a general supervision and direction in regard to the discipline and police of the prison, and to the business concerns thereof.

6. He will also see that the prisoners are treated with humanity; that the sick and complaining have proper medical and other attendance; and that they are supplied with such food and medicines as may be prescribed and necessary.

7. He shall take proper measures for the health and cleanliness of the prison, and see that the convicts pay proper attention to their persons.

8. He shall not permit any kind of gaiming or profane or indecorous language to be used by the convicts, or any of the officers.

9. He, or his assistants shall, before retiring at night, pass through the prison, and satisfy himself that all is safe, and that the nigth watchmen are properly discharging their duty.

10. He shall inspect the moral conduct of the prisoners, and see that they attend divine service, whenever it may be held in the prison, unless prevented by sickness.

11. He must govern the institution by the weight of his authorities, and the prisoners must be made to understand that the officers are entirely cognizant of all their movements, and prepared to counteract or prevent any improper effort on their part.

12. He shall put but one convict in a cell, and shall not allow any tool, instrument or weapon to be left in any cell.

13. Section 8, of chapter 128 of Gould's Digest of the laws of Arkansas, declares that, "If any convict shall escape, on conviction thereof, by indictment, he shall suffer such additional imprisonment as the jury before whom he may be tried, shall direct, not less than five nor more than ten years. If any convict shall openly rebel, with intent to kill the keeper or any other officer of the penitentiary, or with intent by open violence to escape therefrom, he, she, or they, so offending, shall on conviction, be punished by confinement therin during his, her, or their natural life; and if any two or more convicts shall conspire together, and shall not have carried their intention into execution, on conviction thereof, they shall undergo a further imprisonment of not less than five nor more than ten years, to commence at the end of the terms of time, for which said persons were under sentence of confinement."

DUTIES OF THE ASSISTANT KEEPER.

14. This officer must attend daily at the prison, from the hour o unlocking in the morning, until after the prisoners shall have been locked up at night.

15. In the absence of the keeper from the prison, night or day, or during his sickness, the assistant keeper must be present, and take general charge of the prison as keeper, an must be obeyed and respected accordingly.

16. He must spend the whole day in a general supervision of the assistants and prisoners; direct them in their duties and labor, and report to the keeper, all neglect of duty on the part of any of the assistants; receive reports from the assistants of all disobedience or violation of the rules, and report the same to the keeper.

17. He shall, every day, cause to be examined the locks, doors, and the cells generally, to see that they are not injured, by any attempt to escape, and whenever he discovers anything wrong, he shall take down the number of the cell, with the offence committed, and report the same to the keeper immediately.

18. It shall be his duty generally, to see that the whole establishment exhibits throughout, neatness, good order, and cleanliness.

19. He should be constantly moving about the establishment, visiting

frequently, but irregularly and without notice, the workshops, kitchen, hospital and all departments of the prison.

20. He will inspect the arms and equipments of the wall guards, at least once a week, and report any officer who may be found deficient in the required amount of ammunition, or whose gun or equipments are not in perfect order. He will inspect all the arms and equipments, not in use daily, as often as once in two weeks; and at irregular periods.

21. The assistant keeper will not grant leave of absence to any officer for a longer period than one half of a day, without consulting the keeper, except in cases of great emergency.

22. He shall be present and preside at the meals of the prisoners, unless his place be taken by the keeper.

23. He shall not permit convicts on the sick list, in any case, to walk about the yard or building, but shall require a convict, when sick, to report himself to him immediately, and the sick convict shall be sent by the keeper or his assistant, straightway to the hospital, or locked up in his cell.

24. He shall require the convicts, when going from the table to their cells, to keep perfect silence, and while the keeper, or his assistants are locking up the cells; and shall remain quiet and noiseless after they are locked up.

DUTIES OF THE GUARDS.

The guards act as immediate agents to the keeper and his assistants, in enforcing the police discipline of the prison, and in carrying into effect the intentions of the law for the punishment of convicts in prison.

25. It shall be the duty of the guards to attend at the prison at the opening thereof, and not to absent themselves therefrom on any pretence or excuse, during the day or night, except by permission of the keeper or his assistant.

26. While within the prison, or on duty on the walls, the guards are to refrain from cursing or swearing, and the use of profane language, singing, whistling, scuffling, immoderate laughter, boisterous conversation, exciting discussions upon politics, religion, or other subjects, provoking witticisms or sarcasms, and all other acts calculated to disturb the harmony and good order of the prison.

27. In their intercourse among themselves, the officers of the prison are at all times to treat each other with that mutual respect and kindness that become gentlemen and friends; and are required to avoid all collisions, jealousies, separate and party views and interests among them-

selves; and are strictly forbidden to treat each other with disrespect, or any ungentlemanly epithets in the presence of the convicts.

28. It is their duty to cultivate an ardent zeal to promote the best interests, and to advance the reputation of the institution, and to use their united exertion and talents for the public good.

29. They shall not, while on duty, hold conversation with each other, nor with contractors, or their foremen, except such as may refer to the discharge of their duties, and business under their charge and management.

30. Neither shall they be engaged, while so on duty, in reading, writing, (other than making necessary entries,) or in any other employment calculated to interfere with constant watchfulness and vigilance.

31. They shall not, under any circumstances, hold common-place conversation with convicts, nor make any inquiry of them relative to their former situations and circumstances and history; nor shall they allow them to speak to them on such subjects, or upon any other subject not immediately connected with their duty, employment or wants.

32. They shall keep the convicts under their charge, diligently at work, at the several occupations at which they are employed.

33. They shall not permit them to hold any conversation with each other, or with any person whatever; nor to communicate with each other by signs or signals.

34. They shall use their utmost exertions to inforce perfect non-intercourse, and an observance of all the rules and regulations necessary for their government.

35. They shall require the greatest possible cleanliness in the convicts, their persons and clothing, and in thair working and sleeping apartments.

36. They shall suppress all levity, indecency and passion in convicts; and require from them an uniform, sober, orderly and humble deportment.

37. They shall instruct them in all the rules of the prison, necessary for their government; and admonish them upon the least appearance of insubordination.

38. They shall not punish or strike a convict with a cane or stick, or with the fist or feet, or any other weapon, unless it be in self-defense, or to quell an insurrection.

39. They shall not allow the prisoners to leave their work without permission, nor shall they allow them to speak or gaze at visitors, but see that they are constantly employed, and that they labor diligently, in order and in silence.

40. They shall not receive from or deliver to a prisoner, any article or thing whatsoever, without the knowledge or consent of the keeper or his assistant.

41. They shall march their men to and from the cells in close order, taking the lock step or double file.

42. As soon as the prisoners are locked up at night, each assistant having charge of a division, must report immedintely to the keeper, or principal assistant keeper, the number they have locked up or had in charge.

43. It is made the especial duty of the assistant keepers to be vigilant in preventing talking by the prisoners, and to be frequently moving about, inspecting the conduct of the prisoners.

44. The firemen of the different shops shall confine themselves exclu-

sively to the shops in which they are employed, and shall have no intercourse with prisoners, nor visit any other shops, without permission of the keeper or his assistant.

45. The officer in charge of the kitchen shall inspect the table at each meal, and see that every convict has plentiful rations of wholesome food. The officer in charge of each company shall walk in front of each man, and inspect his plate before eating. If anything needful is wanting he shall see that it is supplied; and no convict shall commence eating until all are seated. The convicts shall have twenty-five minutes time at dinner, and fifteen minutes at the other meals. No convict shall leave the table until a signal shall be given by the keeper, or his assistant; and then the convicts shall all rise from the table, and march noiselessly, in double file, to the cells.

46. Each and every prisoner, who shall fail or refuse to comply with any of the foregoing requirements, rules and regulations, who, for any insolent or improper behavior, at work, or at any other time, for any neglect or refusal to obey the orders of the keeper or his assistants, or any other person placed over them by his direction; for any gross or profane language; for any want of proper cleanliness about his or her cell, dress or person; for any improper conduct when called upon to attend divine service; for any plot; for any attempt to escape from prison; shall be punished by confinement in a dark solitary cell—be kept in irons—be deprived of his or her rations—be deprived of books, tobacco and bedding—and also be fed on bread and water only, for a longer or shorter period, as the keeper and his assistants shall consider the aggravation of the offence deserves.

By virtue of the authority in me vested by an act of the General Assembly of the State of Arkansas, entitled "An act to provide for the management and control of the penitentiary," approved 17th February, 1859, I, Archibald H. Rutherford, as superintendent under said act, have prescribed the foregoing rules and regulations, numbered from 1 to 46 inclusive, for the government of, and discipline of the convicts of the penitentiary, and respectfully submit the same to the Governor of the State of Arkansas for his approval, July 23d, 1859.

A. H. RUTHERFORD, *Superintendent Arkansas Penitentiary.*

Approved 23d July, 1859.
ELIAS N. CONWAY.

AN ACT

For the encouragement of Prisoners in the Penitentiary.

Be it enacted, That for the encouragement of the prisoners to conduct themselves with industry and propriety, it shall be the duty of the Governor, whenever it appears from the weekly reports of the agent and keeper, that the conduct of a prisoner has been exemplary and unexceptionable for a whole month together, to commute such prisoner's term of imprisonment for any period of time not exceeding two days for each and every month that he may have so conducted himself.